

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:	Makoto SHIZUKUISHI	Conf.:	3741
Appl. No.:	10/715,476	Group:	2622
Filed:	November 19, 2003	Examiner:	Amy R Hsu
For:	IMAGE SENSOR AND DIGITAL CAMERA		

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The comments attached herewith do not cause substantial interference and delay in the patent issue process and therefore cannot be considered a "failure to engage in reasonable efforts" to conclude processing or examination of the application. Accordingly, the submission of said comments must not result in a reduction of the patent term adjustment of 763 days pursuant to 37 C.F.R. § 1.704(c)(10). See O.G. 26 June 2001, lines 38-53.

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Applicant is appreciative of the Notice of Allowance papers dated February 8, 2010. Applicant offers the following comments regarding these documents.

In the Reasons for Allowance, the Examiner inexactly paraphrased some portions of a claim (apparently claim 1). Applicant notes that claim 1 recites the

relationship  $\lambda \leq t \leq 2\lambda$  where the diameter or the diagonal dimension  $t$  of said aperture is larger than or equal to the wavelength of a red color. Altogether, independent claim 1 recites:

"wherein the diameter or diagonal dimension of said aperture is smaller than the diameter or diagonal dimension of said one photoelectric conversion area, and is larger than a dimension of at least one segment,

wherein said plurality of different spectral sensitivities include red, green and blue of primary colors, and the diameter or the diagonal dimension of each said aperture satisfies the formula  $\lambda \leq t \leq 2\lambda$  wherein  $t$  represents the diameter or the diagonal dimension of said aperture and  $\lambda$  represents the wavelength 0.650  $\mu\text{m}$  of a red color."

Independent claim 2 recites:

"a light-shielding film wherein an aperture in said light-shielding film corresponds to at least two of said segments in one of said photoelectric conversion areas, wherein said different spectral sensitivities include red, green and blue of primary colors, and the diameter or the diagonal dimension of said aperture satisfies the formula  $\lambda \leq t \leq 2\lambda$  wherein  $t$  represents the diameter or the diagonal dimension of said aperture and  $\lambda$  represents the wavelength 0.650  $\mu\text{m}$  of a red color."

Independent claim 19 recites:

"a light-shielding film wherein an aperture in said light-shielding film corresponds to at least two of said segments in one of said photoelectric conversion areas, wherein said plurality of different spectral sensitivities include red, green and blue of primary colors, and the diameter or the diagonal dimension of each said aperture satisfies the formula  $\lambda \leq t \leq 2\lambda$  wherein  $t$  represents the diameter or the diagonal dimension of said aperture and  $\lambda$  represents the wavelength 0.650  $\mu\text{m}$  of a red color."

Independent claim 43 recites:

"light-shielding means, wherein an aperture in said light-shielding means corresponds to at least two of said segments in one of said photoelectric conversion areas, and the diameter or diagonal dimension of said aperture is smaller than the diameter or diagonal dimension of said one photoelectric conversion area, and is larger than a dimension of at least one segment, and

wherein said plurality of different spectral sensitivities include red, green and blue of primary colors, and the diameter or the diagonal dimension of each said aperture satisfies the formula  $\lambda \leq t \leq 2\lambda$  wherein  $t$  represents the diameter or the diagonal dimension of said aperture and  $\lambda$

represents the wavelength  $0.650\text{ }\mu\text{m}$  of a red color."

Independent claim 44 recites:

"a light-shielding film wherein an aperture in said light-shielding film corresponds to at least two of said segments in one of said photoelectric conversion areas, wherein said different spectral sensitivities include red, green and blue of primary colors, and the diameter or the diagonal dimension of each said aperture satisfies the formula  $\lambda \leq t \leq 2\lambda$  wherein  $t$  represents the diameter or the diagonal dimension of said aperture and  $\lambda$  represents the wavelength  $0.650\text{ }\mu\text{m}$  of a red color."

Applicant respectfully notes that the invention is defined by all of the allowed claims, which stand upon their own recitations, and limitations should not be imputed to any of the claims based upon the statement of Reasons for Allowance. Moreover, Applicant respectfully reserves his right to argue alternative interpretations and additional patentable distinctions of the claimed invention over any alleged prior art, should that need ever arise, and do not necessarily agree with any characteristics of the invention and/or alleged advantages thereof.


If the Examiner has any questions concerning this application, the Examiner is requested to contact Michael R. Cammarata (Reg. No. 39,491) at the telephone number of (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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